IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

Writ Petition NO. 185 of 2005

BUBNAL SAHAKARI PANI PURAVTHA
SANSTHA MARYADIT ... Petitioners
vs.
EXECUTIVE ENGINEER-IRRIGATION
DEPARTMENT,SANGLI AND ANR. ..... Respondents

Mr. M. M. Vashi with Mr. A. M. Kulkarni for Petitioners
Mrs. M. P. Thaker APP for Respondents 1 and 2.

CORAM: **F. I. REBELLO & ROSHAN DALVI JJ.**
Date: 22/12/2005

P.C.

Rule. Heard forthwith.

After hearing the parties we feel that this petition can be disposed of by issuing directions for fixing the command area as once the command area is fixed possibly most of the disputes would be resolved. In the reply filed on behalf of the Respondents in para 4 it is admitted that the command area is not fixed. Considering the above this petition is disposed by issuing the following directions:

The irrigation department through its officers to fix the command area based on the Government Land Revenue Records. For the purpose of fixing the command area if documents are required to be

furnished by the Petitioner Society, and considering the letter dated 7.4.2005 the Petitioner Society is called upon to furnish those documents as set out therein, within a period of 4 weeks from today.

The Respondents thereafter to fix the command area within a period of 12 weeks from today.

The Respondents, until the command area is fixed, not to give any fresh water connection at least in respect of those who are members of the Petitioner Society.

In so far as the other reliefs are concerned it will be open to the Petitioner Society to get the same adjudicated independently. Rule made absolute accordingly. No order as to costs.

(F. I. REBELLO J.)

(ROSHAN DALVI J.)